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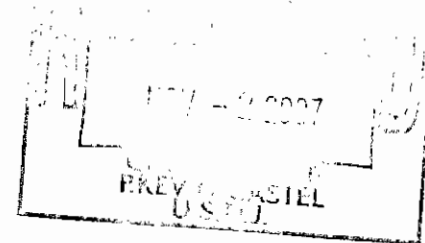
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November 1, 2007

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BY HAND

Hon. Judge P. Kevin Castel
Daniel Patrick Moynihan Courthouse
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: Ventura Foods, LLC v. Supreme Oil Company, Incorporated a.k.a. Admiration Foods (07 Civ. 7338) (PKC) (MHD)

Dear Judge Castel:

We represent plaintiff Ventura Foods, LLC ("Ventura") in the above-referenced action. Although the Court has already granted a request to file a sur-reply by defendant Supreme Oil Company Incorporated a.k.a. Admiration Foods ("Supreme"), we write to clarify a couple points.

First, on October 30, 2007, I proposed November 13, 2007 as a hearing date to Ed Kelly, counsel for Supreme. That date was proposed to accommodate Ventura's witness, Mr. Terry Splane, Vice President of Marketing, who will be traveling here from California. Supreme has yet to respond. We request that such hearing proceed at 2:00 p.m. Alternatively, Ventura can proceed on November 14 or 15 at 2:00 p.m. or the earliest next available date. Since Mr. Splane will be traveling here from California, we request that the hearing not be held during Thanksgiving week. We request that Supreme's sur-reply briefing not serve as an excuse for Supreme to further delay the preliminary injunction hearing. Moreover, Ventura has no intention of filing a sur-sur-reply unless Supreme raises new issues in its sur-reply.

Second, in its letter to the Court dated October 31, 2007, Supreme failed to mention that: (1) Supreme had requested Ventura's consent for a sur-reply prior to even receiving Ventura's reply memorandum; (2) I had informed Mr. Kelly that Ventura would oppose Supreme's sur-reply request; (3) Supreme had already fully availed itself of the

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opportunity to address Ventura's alleged "delay" and the scope of the injunction in its opposition papers; and (4) no new issues were raised in Ventura's reply to justify a sur-reply.

Respectfully submitted,

Kerry A. Brennan

Kerry A. Brennan

cc: John P. Luther, Esq. (by email)
Amanda M. Roach, Esq.
Edward P. Kelly, Esq.

*Let me know when
Ventura decides whether
it will or will not be
filing a sur-reply.
Two conditional renouncement
does not help much.
Hearing is scheduled
for November 14, 2007
at 10:00 am.
SO ORDERED.
USDJ
11-2-07*